

IN THE UNITED STATES PATENT AND TRADE MARKS OFFICE

Response

Date: 13 March 2009

In Re: Patent Application
Serial No.: 10/510351
Filing Date: 10/06/2004
Title: Steel Stud with Openings and Edge Formations and Method
Inventor: BODNAR, ERNEST R.
Art Unit: 36337
Office Action; Mail date 12/ 17 / 2008 Deadline 03/ 17/ 2009
Examiner Christine T. Cajilig 1 571 272 8143 Fx 1 571 273 8143
MAIN USPO Fax No. 1-571-273-8300

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

Dear Ms:

This is in response to the above noted Office Action;

PRIORITY.

It is noted that this application is a US National phase based on PCT
/CA/03/01628, filed 10/27/2003.

It is believed that it is not required to file a priority document of a PCT filing ?.

The PCT itself was based on Canadian app 2404320 , of 9/30/2002, but was
filed OUT of time and did not claim priority .

However a certified copy of that original Canadian application, is supplied .

If I am mistaken , a more detailed explanation would be helpful.

I.D.S

Applicants do not consider any of the references material listed as being
"relevant to patentability".

They are merely listed as being background information.

It is believed that in the circumstances it is not required to file a new IDS.

If I am mistaken then please advise.